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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,781	07/31/2000	Gregory J. Wolff	074451.P117	4872

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EXAMINER

TRAN, MYLINH T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/629,781

Applicant(s)

WOLFF ET AL.

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

On line 3, "are described" and "In one embodiment" should be deleted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15, 21 and 24-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dom et al. [US. 6,166,735] in view of Contois [US. 5,864,868].

As to claims 1, 28, 37 and 38, Dom et al. discloses a controller configured to select an identifier associate with a media object (column 8, lines 12-20 and lines 33-43); wherein the controller sends the request by transmitting the identifier stored in the controller (column 9, lines 3-18); and retrieve the media object from a first server via a network connection when the media object is not stored in the appliance (column 1, lines 40-65 and column figure 7,

lines 22-32). The difference between Dom et al. and the claim is sending a request to play the media object by the controller and an appliance configured to receive the request from the controller. Contois shows the features at column 4, lines 38-68, column 8, lines 21-44, and column 10, lines 1-20). It would have been obvious to one of ordinary skill in the art, having the teachings of Dom et al. and Contois before them at the time the invention was made to modify retrieving the media object from network connection as taught by Dom et al. to include the step of playing the media object of Contois, with the motivation being to allow multi-users to conveniently and easily access an Internet playing the media objects such as images as taught by Contois.

As to claims 2 and 30, Dom et al. also discloses the identifier being transmitted using a wireless connection (column 7, lines 3-32).

As to claims 3 and 34, Dom et al. teaches the controller and the first server being synchronized on a predetermined time period (column 4, lines 34-45 and column 5, line 65 through column 6, lines 10).

As to claim 4, Dom et al. also teaches the first server storing the media objects corresponding to the identifiers stored in the controller (column 5, lines 1-40).

As to claim 5, Dom et al. also teaches the media object being retrieved from the first server using the identifier received from the controller (column 6, lines 6-35).

As to claim 6, Dom et al. demonstrates a second server coupled to the network, the second server storing at least the media objects stored in the first server (column 5, lines 1-40).

As to claim 7, Dom et al. also demonstrates retrieving the media object from the second server when the media object is not found in the first server (column 1, lines 40-65 and column figure 7, lines 22-32).

As to claims 8-10, 12, 33 and 40, Dom et al. shows the media object retrieved from the second server is in a decrypted and encrypted form and a decryption key for the media object is stored in the controller and the appliance receiving the decryption key from the controller to decrypt the media object (column 7, lines 32-48 and column 8, lines 1-8).

As to claim 11, Dom et al. also shows the decryption key is stored in the controller after the controllers sends a payment information to the second server (column 11, line 54 through column 12, line 20).

As to claims 13 and 14, Dom et al. discloses the identifier is selected by selecting a visual representation of the identifier and the visual representation comprises a thumbnail image representing the media object (column 5, lines 25-40).

As to claim 15, Contois teaches the controller organizing thumbnail images in groups (figure 6, composer (2); column 10, lines 1-53).

As to claim 21, Dom et al. also teaches the appliance being operable to play a media object not stored in the controller, and wherein the controller imports the identifier associated with the media object by sending a request to import the identifier not stored in the controller (column 7, lines 1-40 and column 8, lines 1-9 and lines 35-45).

As to claims 24 and 39, Dom et al. discloses the request to import the identifier not stored in the controller is sent with payment information (column 11, line 54 through column 12, line 20).

As to claim 25, Dom et al. also discloses the appliance stores the media object in a cache (column 2, lines 43-65).

As to claim 26, Dom et al. demonstrates the appliance being one in a group comprising a personal computer, a stereo receiver, and a television (column 7, lines 23-46).

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As to claim 27, Dom et al. also demonstrates the controller operating with multiple appliances (figure 1).

As to claim 28, Dom et al. teaches the media object is one in a group comprising a document, an audio clip and a video clip (column 8, lines 30-45).

As to claim 29, Dom et al. also teaches fourth means coupled to the network, the fourth means for providing the media object when the media object is not in the third means (column 1, lines 40-65 and column figure 7, lines 22-32).

As to claim 32, Dom et al. shows means for performing access authorization when the media object is retrieved from the fourth means (column 3, lines 31-45).

As to claim 35, Dom et al. also shows means the first means is operable with one or more second means (column 7, lines 1-50).

As to claim 36, Dom et al. discloses the first means comprising means for organizing the identifiers using thumbnail image representations of the media objects associated with the identifiers (column 1, lines 40-65).

Claims 16-20, 22-23 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dom et al. [US. 6,166,735], in view of Contois and further in view of Morris et al. [US. 6,097,389].

As to claim 16, the difference between Dom, Contois and the claim is the first and second group of thumbnail images. Morris et al. shows the feature at figure 12F (first group (1265), second group (1261)). It would have been obvious to one of ordinary skill in the art, having the teachings of Dom, Contois and Morris et al. before them at the time the invention was made to modify the step of retrieving images as taught by Dom and Contois to include a plural group of thumbnails of Morris et al., with the motivation being to allow a user to

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conveniently view only a desired portion of a larger video object, rather than requiring that the user watch the video object from the beginning up to the desired segment as taught by Morris et al.

As to claims 17 and 41-43, while Contois teaches playlists, Morris et al. also discloses a first subgroup including one or more playlists, each of the playlists comprising one or more thumbnail images; and a second subgroup including one or more thumbnail images (figure 12F, column 13, line 62 through column 14, line 13).

As to claim 18, Contois teaches the controller sending one play list to the appliance to request the one play list be played by the appliance (column 11, lines 6-17 and lines 40-55).

As to claim 19, Morris also teaches the controller comprising a display screen to display thumbnail images in the first group and in the second group (figure 12F, column 13, line 62 through column 14, line 13).

As to claim 20, Morris shows the controller further comprising a microphone to record an audio annotation associated with one of the thumbnail images, and a text input area to generate text to associate with the one thumbnail image (column 8, lines 18-29).

As to claim 22, while Morris shows a reduced visual representation of the corresponding media object (figure 12C), Dom et al. teaches in response to the request to import the identifier not stored in the controller, the appliance sends the identifier (column 13, line 62 through column 14, line 13).

As to claim 23, Morris demonstrates the reduced visual representation being a thumbnail image of the corresponding media object (column 6, lines 10-50).

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238, may be used

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for formal After Final communications, (703) 746-4395 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 4.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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